Supreme Court, U.S.
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No. 94-18

IN THE

Supreme Court of the United States

OCTOBER TERM, 1994

Antonio C. Mastrobuono and Diana G. Mastrobuono,

Petitioners,

v.

Shearson Lehman Hutton Inc., a corporation, and Nick DiMinico,

Respondents.

On Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit

JOINT APPENDIX

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PETITION FOR CERTIORARI FILED JUNE 28, 1994
CERTIORARI GRANTED OCTOBER 7, 1994

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LIST OF OMITTED ITEMS

The following items have been omitted in printing this joint appendix because they appear on the following pages in the Appendix to the Petition for Writ of Certiorari:

Opinion of the United States Court of Appeals for the Seventh Circuit, dated March 30, 1994	App. 1-27
Order of the United States District Court for the Northern District of Illinois, dated February 9, 1993	App. 28-43
Client's Agreement, paragraph 13	App. 44

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CHRONOLOGICAL LIST OF RELEVANT DOCKET ENTRIES

United States District Court for the Northern District of Illinois,

Civil Action No. 89 C 0773

Date *Filing/Proceeding*

01/30/89—Complaint (Jury Demand).

* * * *

04/11/89—Plaintiffs' Memorandum in opposition to defendants' motion to stay proceedings and compel arbitration.

* * * *

04/14/89—Defendants' Motion to stay proceedings and to compel arbitration.

04/14/89—Defendants' Memorandum in support of motion to stay proceedings and to compel arbitration.

* * * *

07/14/89—First Amended Complaint.

* * * *

08/02/89—Defendants' Supplemental Motion to stay proceedings and to compel arbitration.

08/02/89—Defendants' Memorandum in support of supplemental motion to stay proceedings and to compel arbitration.

08/02/89—Minute Order of 08/02/89: Defendants' motion to stay proceedings and to compel arbitration is granted.

* * * *

Date *Filing/Proceeding*

11/05/92—Motion by defendants Shearson Lehman Hutton Inc. and Nick DiMinico to partially vacate arbitration award.

11/05/92—Affidavit of Thomas M. Knepper (with exhibits A-D thereto) submitted in support of defendants' motion to partially vacate arbitration award.

11/05/92—Memorandum of law (with exhibit A thereto) by defendants Shearson Lehman Hutton Inc. and Nick DiMinico in support of motion to partially vacate arbitration award.

* * * *

12/07/92—Memorandum by plaintiffs (with exhibits A-H thereto) in opposition to defendants' vacatur petition.

12/11/92—Motion by plaintiffs (with exhibits) for confirmation of arbitration award and for entry of judgment thereon; or in the alternative, to set a date for trial on amount of punitive damages to be awarded on arbitrators' finding that plaintiffs are entitled to punitive damages; or in the further alternative, to set a date for trial on plaintiffs' pending claims for punitive damages for defendants' negligence, fraud, breach of fiduciary duty and violations of the Illinois and Texas consumer fraud acts.

* * * *

12/30/92—Reply Memorandum of law by defendants Shearson Lehman Hutton Inc. and Nick DiMinico in support of motion to partially vacate arbitration award.

* * * *

Date *Filing/Proceeding*

02/06/93—Minute Order of 02/06/93: Plaintiffs' motion for confirmation of arbitration award and entry of judgment thereon; or in the alternative, to set a date for trial on amount of punitive damages to be awarded on arbitrators' finding that plaintiffs are entitled to punitive damages; or in the further alternative, to set a date for trial on plaintiffs' pending claims for punitive damages for defendants' negligence, fraud, breach of fiduciary duty and violations of the Illinois and Texas consumer fraud acts is denied.

02/09/93—Order: Defendants' motion to partially vacate arbitration award is granted.

02/09/93—Minute Order of 02/09/93: Defendants' motion to partially vacate arbitration award is granted.

03/08/93—Notice of Appeal by plaintiffs Diana G. Mastrobuono and Antonio C. Mastrobuono from motion Minute Order dated 2/9/93, from motion Order dated 2/9/93 and from motion Minute Order dated 2/6/93.

* * * *

04/21/94—Certified Copy of Order of the United States Court of Appeals for the Seventh Circuit, entered 3/30/94, affirming the Judgment of the District Court and awarding costs to the appellees.

04/21/94—Opinion of the United States Court of Appeals for the Seventh Circuit, decided 3/30/94.

CHRONOLOGICAL LIST OF RELEVANT DOCKET ENTRIES

United States Court of Appeals
for the Seventh Circuit,

No. 93-1581

Date *Filing/Proceeding*

* * * *

04/19/93—Plaintiffs-Appellants' Brief.

05/19/93—Defendants-Appellees' Brief.

* * * *

06/07/93—Plaintiffs-Appellants' Reply Brief.

* * * *

12/28/93—Plaintiffs-Appellants' Citation Of Additional Authority.

03/30/94—Opinion of the Court, affirming decision of the District Court.

03/30/94—Order of final judgment; affirmed; costs awarded to appellees.

* * * *